

Lennard K. Whittaker, Attorney

[Redacted] Managing Attorney
[Redacted] Public Defender Office
[Redacted]
[Redacted]

Date 5/25/23

Re: [Redacted] Tx. v. [Redacted]

Dear Ms. [Redacted]

P.O. Box 720876
McAllen, TX 78504
T 956 821 9918
F 866 596 6190
teksus@mac.com
www.whittaker.law
www.criminaltrialstrategist.com

Thank you for your assistance.

This is the formal request for assistance (from your office) to be a local liaison for service of a summons on the custodian of records of Mayo Clinic Health System.

I am appointed counsel for [Redacted] the appointment order is attached. The local public defender's office is familiar with my practice. A letter from the acting chief of Hidalgo County Public Defender is attached.

Also, attached is the Certificate for Attendance of Out-of-State Witness. Please inform me if your office or the [Redacted] court requires the paper version of the Certificate (33 pages). I tried to draft and compile it in such a way that the Certificate with incorporated attachments explains itself.

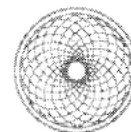
I see two likely hiccups in this process: expenses and the date for the Texas hearing.

On the expenses, if expected costs are below \$500, I am not required to obtain funds nor a specific order from Judge [Redacted].¹ If expenses are estimated to be more than \$500, please let me know so that I may obtain an order. Please let me know about any expenses. I will send your office a check.

On the date for a Texas hearing, Judge [Redacted] standing in for Judge [Redacted] set 15 [Redacted] as the date by which the Witness is to appear in the [Redacted] Trial is set for 25 [Redacted]. As I expect Mayo to prefer the option of simply providing the records requested, it is likely academic whether the date for the witness to appear in Texas court is the 15th or the 25th.

Redaction issues:

¹ Judge [Redacted] was informed that if Mayo custodian prefers to visit our courts, the estimate of flights, lodging, per diem, etc., is \$1300 at the time of drafting the Motion.



Lennard K. Whittaker, Attorney

The documents that I have provided with this letter are NOT redacted. Please redact them or securitize them as required by [REDACTED] courts.

To decrypt the Certificate and Order Appointing Counsel, use the 13-letter plural form of the Univ. of Minnesota mascot in ALLCAPS and no spaces.

Sincerely yours,

[REDACTED]
Lennard K. Whittaker

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att: appt order, Hidalgo Co. Public Defender letter, certificate

cc: [REDACTED] [REDACTED]

THE STATE OF TEXAS
VS

IN THE: [REDACTED] District Court

SO#: [REDACTED]

DOB: [REDACTED]

Language: English

Cell: [REDACTED]

Degree of Offense: F2

Date of Arrest: [REDACTED]

Arresting Agency: [REDACTED]

Holds: [REDACTED]

Offense(s): INDECENCY W/CHILD SEXUAL CONTACT X2 [REDACTED]

Application for Appointment

The Applicant, being duly sworn, states the following: I am the applicant in the above entitled and numbered cause, and I am too poor to employ counsel and request that the Court appoint counsel for me. In support of my claim of indigency, I would respectfully show the Court that I own the following property of value indicated.

AddressLine1 [REDACTED] City [REDACTED] State: TX Zip: [REDACTED]
HomePhone: [REDACTED] CellPhone: [REDACTED] Marital Status: Single Family Siz 2
Spouse's Name: [REDACTED] Spouse's Phone Number: [REDACTED] Food Stamps TANF
Other Contact: [REDACTED] Other Contact Phone Number [REDACTED] Medicaid SSI
Employment Status Unemployed Name of Employer/School: [REDACTED]

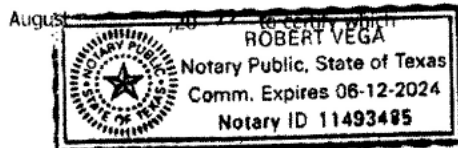
Monthly Salary: \$0 00 Other Source of Income: [REDACTED] Other Income Amount: \$0 00
of Autos: [REDACTED] Value of Autos: \$0 00 Checking Balance: \$0 00 Savings Balance: \$0 00
Rent/Mortgage: \$0 00 Light: \$0 00 Gas \$0 00 Water: \$0 00
Home Phone \$0 00 Car Payment: \$0 00 Car Insurance: \$0 00 Childcare: \$0 00
Food: \$0 00 Interviewer Notes: DEF IS SUPPORTED BY MOM Poverty Guide Line \$18,503.90
App. Status: Accepted Household Income: \$0 00
 Indigent

[REDACTED]

Applicant Signature

SWORN TO AND SUSCRIBED BEFORE ME the 11 day of August, 2022 to certify which witness my hand and seal of office.

[REDACTED]



NOTARY PUBLIC

Order Appointing Counsel

On this [REDACTED] day of [REDACTED], [REDACTED] hereby appoint the Honorable
Whittaker, Lennard K attorney for the applicant with respect to the above pending
charge. Counsel is requested to interview applicant no later than 24 hours of receiving this appointment.
Signed and entered on this the [REDACTED] day of [REDACTED], 20 [REDACTED]

The Court finds that the Defendant is NOT indigent and therefore Application for Appointment of Counsel is hereby Denied.

[REDACTED]

State District Judge Designee /County Court at Law Judge Designee



Alejandro Aguirre <alejandro.aguirre@co.hidalgo.tx.us>

State of Texas [REDACTED]

[REDACTED] co.hidalgo.tx.us>

Wed, [REDACTED] at 11:38 AM

To: [REDACTED]
Cc: [REDACTED] teksus@me.com

M [REDACTED]

My name is Alex Aguirre and I am currently in charge of operations (interim) with the Hidalgo County, Texas, Public Defender's Office. One of our local attorneys, the Hon. Lennard Whittaker, is seeking some assistance with a case in our jurisdiction. He is copied to this email.

He would need your office to act as a [REDACTED] liaison for service of a summons on the custodian of business records of the Mayo Clinic Health System, and I am humbly asking that you do so.

I have looked up this case and can assure you that Mr. Whittaker was appointed to this case on [REDACTED], in compliance with our local and state indigent defense plan. He is a zealous advocate and does a great service to our indigent clients.

If you have any question or concern regarding this matter, or if I can be of any assistance in any way, please do not hesitate to contact me.

Sincerely,

--

Alejandro "Alex" Aguirre M.
Assistant Public Defender
Hidalgo County, Texas
100 N. Closner- 5th Floor
Edinburg, Texas 78539
(956) 292 7040 Ext. 5457
(956) 292-7049 (fax)
alejandro.aguirre@co.hidalgo.tx.us